

04-28-10P01:53 RCVD

Item No. 2d

# TOWN OF LAUDERDALE-BY-THE-SEA

## ROUNDTABLE ITEM REQUEST FORM

**Town Commission**

Department Submitting Request

**Mayor Minnet**

Mayor/Commissioner Name

**Meeting Date / Time**☐ April 28, 2010 / 7:00 PM☒ May 26, 2010 / 7:00 PM☐ June 9, 2010 / 7:00 PM☐ June 23, 2010 / 7:00 PM**Deadline w/o Backup**☐ April 21, 2010 / Noon☐ May 19, 2010 / Noon☐ June 2, 2010 / Noon☐ June 16, 2010 / Noon**Deadline w Backup**☒ April 19, 2010 / Noon☐ May 17, 2010 / Noon☐ June 7, 2010 / Noon☐ June 14, 2010 / Noon**ITEM/ITEMS\*:**

Review of Boat Ordinance, copy of Ordinance enclosed

**ACTION OR OUTCOME EXPECTED:**

Discuss and review the Boat Ordinance

**SPECIAL NOTES:**

This item was requested by a resident and a copy of his letter is enclosed. I am seeking direction from the Commission if action is to be taken in regards to this ordinance.

**\*ITEMS LISTED THAT WOULD BE GOING TO REGULAR COMMISSION AGENDA  
REQUIRE NEW AGENDA ITEM REQUEST FORM WITH AMPLE TIME TO PRODUCE  
BACKUP**

ARTICLE III. BOAT REGULATIONS

**Sec. 5-51. Operation of boats restricted.**

It shall be unlawful for any person to:

(1) Reserved;

(2) Operate or pilot a boat or other watercraft within a 100-yard area directly north, south and east of, or directly under or beneath, the fishing pier situated at the east end of Commercial Boulevard;

(3) Launch or land boats, rafts, or craft of any kind upon the Town beaches except in case of an emergency; or

→ (4) Use the beaches, either public or private, for the storage or parking of boats

(Code 1962, § 5-6; Ord. No. 266, 9-14-82; Ord. No. 389, § 2, 6-24-97)

**REQUEST FOR REVIEW OF BOAT ORDINANCE NO 266, 91482;  
ORDINANCE #389-2, 6-24-97**

**RE OPERATION OR BOATS RESTRICTED**

I, Dr. Eugene Healey, respectfully request your consideration in the following matter.

I live at El Dorado Club, 1470 South Ocean Blvd, in Lauderdale by the Sea (LBTS). My wife and I have owned our condo on the ocean since 1993, and we have spent the last three winters here, for longer periods each time. I am a retired surgeon from Rhode Island, and a veteran who served in Vietnam as a MASH Surgeon. I have been involved in sailing my entire life, racing in New England as a youth, later in college, and afterwards in ocean racing: six times to Bermuda, and to many off-shore events. I ran several sailing schools for years. Our eight children were brought up sailing; five raced in college, with three All-Americans, and with one daughter sailing in the Olympics in Greece in 2004. I mention this to emphasize the importance of sailing in our family's lives.

Over the past several years, when we came to Pompano Beach, I sailed catamarans and Sunfish from the beach front hotels. Two years ago, I brought my own Sunfish sailboat to Florida, and kept it next to the wall in front of our condo. I have sailed it often, to the delight and enjoyment of our residents.

Unfortunately, on January 31, 2010, I received a citation from the Code Enforcement Office, for violating the Code (Sec. 5-51). This prohibits storage of boats on our private beach. Enclosed is a copy of the land survey of our property, showing at least twenty feet of our private property is seaward of the wall. This seemed an ideal solution to being able to store and launch my small boat by myself.

I was very frustrated and bewildered by my being prevented from keeping my boat on the beach and from not being allowed to sail it from there.

To deal with this frustration and despondency, I looked at several of the beach communities north and south of us. I reviewed many ordinances and

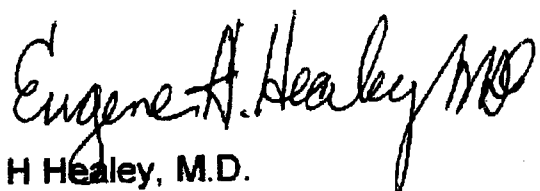
beach-posted signs. These included Hillsboro, Pompano Beach, LBTS, and Fort Lauderdale. I also noted that actually, there are very few people who take advantage of the beaches for boating, which I found surprising, especially considering how many other beachfront communities do have boats on their beaches. However, I also noted that there are several catamarans and other sailboats on the shores in Pompano Beach and Fort Lauderdale. In fact, down at the Las Olas Ft Lauderdale Beach Blvd, there are many privately-owned Hobie catamarans, other sailboats, and large rowing canoes on the beach that are registered with the city. Almost daily we see windsurfers and many kiteboarders also sailing up and down our shores, having launched from several different areas.

I would like to be able to do this also. At it is now, it is a physical hardship for me to launch my small sailboat over the wall. Registering my boat on the LBTS shores is certainly a reasonable solution.

I respectfully request that this Commission review these beach ordinances from 1996, so that we may be able to fully enjoy our beaches, as we have in other communities.

I look forward to your feedback, and am willing to answer any further questions, if you have any. I am prepared to do what is necessary to affect this change.

Sincerely,

  
Eugene H Healey, M.D.